



Entered on Docket
April 09, 2010

Hon. Linda B. Riegle
United States Bankruptcy Judge

WILDE & ASSOCIATES

Gregory L. Wilde, Esq.
Nevada Bar No. 004417
212 South Jones Boulevard
Las Vegas, Nevada 89107
Telephone: 702 258-8200
bk@wildelaw.com

Fax: 702 258-8787

and

MARK S. BOSCO, ESQ.

Arizona Bar No. 010167

TIFFANY & BOSCO, P.A.

2525 East Camelback Road, Suite 300

Phoenix, Arizona 85016

Telephone: (602) 255-6000

Wells Fargo Bank, National Association, as Trustee under Pooling and Servicing Agreement dated as of May 1, 2005 Asset-Backed Pass-Through Certificates, Series 2005-WHQ3 10-70003

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

| | |
|--|--|
| <p>In Re:</p> <p>Daniel I. Perkins</p> | <p>Bk Case No.: 09-25056-lbr</p> <p>Date: 3/31/2010 Time: 10:00 am</p> <p>Chapter 13</p> |
| <p>Debtor</p> | |

ORDER VACATING AUTOMATIC STAY

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Automatic Stay in the above-entitled bankruptcy proceedings is immediately vacated and extinguished for all purposes as to

1 Secured Creditor Wells Fargo Bank, National Association, as Trustee under Pooling and Servicing
2 Agreement dated as of May 1, 2005 Asset-Backed Pass-Through Certificates, Series 2005-WHQ3, its
3 assignees and/or successors in interest, of the subject property, generally described as 5882 Pear Court,
4 Las Vegas, NV 89110, and legally described as follows:

5
6 LOT NINETEEN (19) IN BLOCK FOUR (4) SUNRISE HILLS - UNIT 5, AS SHOWN BY
7 MAP THEREOF ON FILE IN BOOK 36 OF PLATS, PAGE 90, IN THE OFFICE OF THE COUNTY
8 RECORDER OF CLARK COUNTY, NEVADA.

9 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall give
10 Debtor at least seven business days' notice of the time, place and date of sale.

11 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Secured Creditor hereby
12 withdraws its secured Proof of Claim filed in this matter. The Secured Creditor shall notify the Trustee of
13 the completion of the foreclosure sale. If applicable, Secured Creditor may thereafter amend its secured
14 Proof of Claim to an unsecured Proof of Claim no later than forty-five (45) days after the foreclosure sale.

15 Submitted by:

16 **WILDE & ASSOCIATES**

17 By:  #10235

18 **Gregory L. Wilde, Esq.**
19 Attorney for Secured Creditor

20 **APPROVED / DISAPPROVED**

21 By: _____
22 George Haines
23 Attorney for Debtor(s)

24 **APPROVED / DISAPPROVED**

25 By: _____
26 Rick A. Yarnall
Chapter 13 Trustee

1 In accordance with Local Rule 9021, the undersigned counsel certifies as follows (check one):

2 ☐ The court waived the requirements of LR 9021.

3 ☐ No parties appeared or filed written objections, and there is no trustee appointed in the case.

4 ☐ No parties appeared or filed written objections, and the trustee is the movant.

5 ☒ This is a chapter 7 or 13 case, and either with the motion, or at the hearing, I have delivered a
6 copy of this proposed order to all counsel who appeared at the hearing, and any trustee
7 appointed in this case, any unrepresented parties who appeared at the hearing, and each has
8 approved or disapproved the order, or failed to respond, as indicated below:

9 Debtor's counsel:

10 ☐ approved the form of this order ☐ disapproved the form of this order

11 ☐ waived the right to review the order and/or ☒ failed to respond to the document

12 ☐ appeared at the hearing, waived the right to review the order

13 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

14 Trustee:

15 ☐ approved the form of this order ☐ disapproved the form of this order

16 ☐ waived the right to review the order and/or ☒ failed to respond to the document

17 ☐ This is a chapter 9, 11, or 15 case, and I have delivered a copy of this proposed order to all
18 counsel who appeared at the hearing, and any trustee appointed in this case any unrepresented
19 parties who appeared at the hearing, and each has approved or disapproved the order, or failed to
20 respond, as indicated below.

21 Debtor's counsel:

22 ☐ approved the form of this order ☐ disapproved the form of this order

23 ☐ waived the right to review the order and/or ☐ failed to respond to the document

24 ☐ appeared at the hearing, waived the right to review the order

25 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

26 Trustee:

☐ approved the form of this order ☐ disapproved the form of this order

☐ waived the right to review the order and/or ☐ failed to respond to the document

☐ I certify that I have served a copy of this order with the motion, and no parties appeared or filed
written objection.

Submitted by:

/s/ Gregory L. Wilde. Esq.

Gregory L. Wilde, Esq.

Attorney for Secured Creditor